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Davis Wright Tremaine, LLP
2600 Century Square
1501 Fourth Avenue
Seattle, WA 98101-1688

In re Application of
David B. GIBBONS, et al.
Application No. 09/592,820
Filed: June 12, 2000
For: **SYSTEM AND METHOD FOR
BROADCASTING TIMING INFORMATION
TO REMOTE UNITS IN A WIRELESS
MULTIPLE ACCESS NETWORK**

**DECISION ON PETITION
TO WITHDRAW HOLDING OF
ABANDONMENT**

This is a decision on the request to Withdrawal the Holding of Abandonment filed August 3, 2004.

This application was held abandoned for failure to respond to the Office action mailed November 5, 2003. A Notice of Abandonment was mailed on June 22, 2004.

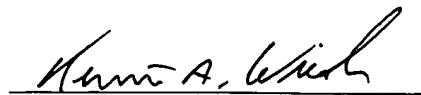
Petitioner states that a response was in fact timely filed. To support this assertion, petitioner has submitted a date-stamped copy of a return postcard which acknowledges receipt by the Patent and Trademark Office of a response on February 6, 2004. Petitioner has also submitted a copy of the response.

The date stamped on the post card receipt of February 6, 2004 is subsequent to the due date for response to the three month shortened statutory time period for response set forth in the Office action mailed November 5, 2003. However, the copy of the response includes a certificate of mailing certifying deposit on February 3, 2004 in accordance with 37 CFR 1.8(a). Accordingly, the copy of the response is accepted as having been timely filed.

In view of the above stated reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The petition is **GRANTED**.

The application file will be forwarded to the Technology Center's technical support staff for entry of the copy of the response. The Power of Attorney filed March 17, 2005 will also be entered. From there, the file will be forwarded to the examiner for appropriate action in due course.


Kenneth A. Wieder
Special Program Examiner
Technology Center 2600
Communications